

Service Date: May 3, 2004

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF WESTERN MONTANA)	UTILITY DIVISION
LOCAL CALLING COALITION, Application for)	
Western Montana Telephone Extended Area)	DOCKET NO. D2003.12.170
Service Region)	ORDER NO. 6550b

PROTECTIVE ORDER

On April 15, 2004, Qwest Corporation (Qwest) filed a motion for protective order in the above docket. Qwest seeks protection of traffic data, foregone revenues, and customer-related number, cost, usage information. Qwest's motion is accompanied by an affidavit supporting protection of the information from uncontrolled disclosure on the basis that the identified information is trade secret in accordance with § 30-14-402, MCA.

The Public Service Commission (PSC) determines Qwest has shown good and sufficient cause in fact and law that the information for which protection is requested is entitled to protection from uncontrolled public disclosure pursuant to § 69-3-105, MCA. Therefore, the PSC grants Qwest's request and hereby orders that information submitted in accordance with this order be treated as "confidential information" under the terms of this order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

The PSC is presently considering necessary changes, if any, to its protective order process as a result of litigation. All protective orders issued until the question of changes has been resolved are subject to modification. Providers will be notified and provided an opportunity to respond in the event modification of this protective order is required.

Done and dated this 27th day of April 2004, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice-Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Montana Public Service Commission
Protective Orders and Protection of Confidential Information

Nondisclosure Agreement

(7-26-00)

ARM 38.2.5012

Docket No.D2003.12.170 , Order No. 6550b
Order Action Date: May 3, 2004

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented